



1 FW  
PATENT

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lentz et al. )  
Serial No.: 10/626,887 ) Art Unit  
Filed: July 24, 2003 ) 3744  
For: DISTAL END FOR CRYOABLATION )  
CATHETERS )  
Examiner: Richard Leung )  
Attorney Docket: 11350.5 )

### TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

1. The Supplemental Information Disclosure statement transmitted herewith is being filed more than three months after the filing date of this national application, the date of entry of the national stage as set forth in §1.491 or, more than three months after an international application, or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:

- a. A Final Action under §1.113; or
- b. A Notice of Allowance under §1.311

whichever occurs first.

Hon. Commissioner for Patents  
Page 2

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### CERTIFICATE OR FEE

2. Accompanying this transmittal is

X a certification as specified in 37 CFR 1.97(e)

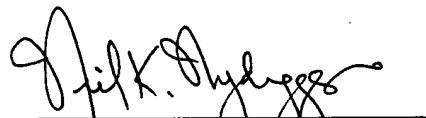
— the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

### FEE PAYMENT

3. If any additional fees are due please charge the account 14-1519. A duplicate of this request is attached.

Dated this 15 day of February, 2005.

Respectfully submitted,



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NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

Transmitted: Supplemental Information Disclosure Statement, PTO Form 1449;  
6 References.

Docket: 11350.5



PATENT

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

The following sections are being submitted for this Supplemental Information Disclosure Statement:

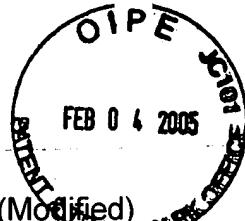
1. X Preliminary Statements
2. X FORM PTO - 1449 (Modified)
3.    Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies are Submitted Or Need be Submitted.
4. X Copies of Listed Information Items Accompanying This Statement.
5.    Concise Explanation of Non-English Language Listed Information Items.
6.    Translation(s) of Non-English Language Documents.
7. X Certification Under 37 C.F.R. §1.97.(e).
8.    Fee as required under 37 C.F.R §1.17(p).
9.    Petition requesting consideration of Statement and Petition Fee as set forth in 37 C.F.R. §1.17(i)(1).
10. X Identification of Person(s) Making This Supplemental Information Disclosure Statement.

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



FORM PTO-1449 (Modified)  
U.S. Dept of Commerce  
Patent and Trademark Office  
  
List Submitted in Accordance  
with 37 CFR § 1.98 (a)(1)

Attorney Docket: 11350.5  
Serial No.: 10/626,887  
Applicant: Lentz et al.  
Filing Date: July 24, 2003  
Group No.: 3744

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Pub. Date</u>	<u>Patentee</u>
___ AA	2002/0198578 A1	12/26/02	Dobak, III
___ AB	2003/0040740 A1	02/27/03	Kovalcheck et al.

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Patentee</u>
___ AC	3,951,152	04/20/76	Crandell et al.
___ AD	5,452,582	09/26/95	Longsworth

Foreign Patent Documents

	<u>Document Number</u>	<u>Pub. Date</u>	<u>Country</u>	<u>Translation</u>
___ AE	EP 1 398 002 A1	03/17/04	EPO	Yes
___ AF	DE 101 18 805 A1	11/21/02	Germany	No

Examiner: \_\_\_\_\_ Date Considered: \_\_\_\_\_

\* EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Section 4. Copies of Listed Information Items Accompanying This Supplemental Information Disclosure Statement.**

Legible copies of **all** items listed below accompany this Supplemental Information Disclosure Statement.

<u>Patent No.</u>	<u>Date</u>	<u>Name</u>	<u>Country</u>
2002/0198578 A1	12/26/02	Dobak, III	USA
2003/0040740 A1	02/27/03	Kovalcheck et al.	USA
3,951,152	04/20/76	Crandell et al.	USA
5,452,582	09/26/95	Longsworth	USA
EP 1 398 002 A1	03/17/04	CryoCor, Inc.	EPO
DE 101 18 805 A1	11/21/02	Steinfatt et al.	Germany

## Section 7. Certification Under 37 C.F.R. §1.97(e)

The undersigned hereby certifies that the present Supplemental Information Disclosure Statement is being filed:

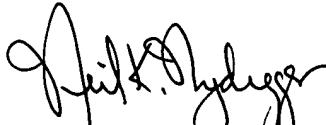
- After the mailing date of the first Office Action but before a final rejection or notice of allowance [37 C.F.R. §1.97(c)].
- After a Final Rejection or Notice of Allowance but before payment of the issue fee [37 C.F.R. §1.97 (d)].

The undersigned also certifies the following:

- That each item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for an application not more than three (3) months prior to the filing of the Statement.

or

- That no item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(d) more than three (3) months prior to the filing of the Statement.



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Facsimile: (619) 688-1322

**Section 10. Identification of Person(s) Making this Supplemental Information Disclosure Statement.**

The person making this statement is

(a)        the inventor(s) who signs below

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SIGNATURE OF INVENTOR

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Name of Inventor

(b) X the attorney who signs below on the basis of:

X the information supplied by the inventor(s)  
       an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))  
X the information in the attorney's file



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CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this Supplemental Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, with sufficient postage as first class mail pursuant to 37 CFR 1.8(a) on this 1st day of February, 2005.

*Megan N. Kelly*  
MEGAN N. KELLY  
Legal Document Assistant